

HB 5097 Testimony before the Commerce Committee
March 5, 2014

The City of Wyoming opposes HB 5097.

Wyoming has five bargaining units, three of which are eligible to participate in compulsory arbitration of labor disputes under Public Act 312 of 1969. In 2011, when Public Act 54 was adopted by the State, we were disappointed that some control of negotiations was being taken away from local units of government, but we recognized that the provisions of the Act may be an incentive for bargaining units to settle contracts more expeditiously. Furthermore, we were pleased that the Act did not distinguish between Act 312 units and non-Act 312 units and, in fact, prohibited an arbitration panel from ordering any retroactive wage or benefit levels or amounts that are greater than those in effect on the expiration date of the collective bargaining agreement.

In 2012, the City of Wyoming and its Wyoming City Employees Union worked diligently and cooperatively to address employee benefits. This was the third contract, spanning over eleven years that this bargaining unit has agreed to concessions. The contract was settled approximately two months after it had expired and during that time the employees did not receive step increases and retroactivity was not given, in accordance with Public Act 54 of 2011. During the same time we were in negotiations with the Wyoming City Employees Union, we were in negotiations with the Police Officer Labor Council – Wyoming Command Division, an Act 312 unit. Unfortunately, we were not able to settle the contract and it proceeded to arbitration. This unit was treated the same as the non-Act 312 union in accordance with PA 54, with both unions being subject to no wage step increases, no retroactive pay and all employees in both unions paying the full amount of the increase of their insurance.

The City is currently in negotiations with the Police Officers Labor Council – Wyoming Division Union (an Act 312 unit) and the Administrative and Supervisory Association. These units are aware that under Act 54 of 2011, they will not receive step increases or retroactive pay. Employees in these Unions will also pay the full amount of the increase of insurance benefits, in accordance with Act 54.

Of utmost concern to the City with House Bill 5097 is the additional disparate treatment that will occur between Act 312 and non-Act 312 bargaining units. Labor relations are already difficult because of some units being eligible for Act 312 arbitration and receiving wages and benefits through that process that other units may not receive. House Bill 5097 would only add to that problem because it would exclude the Act 312 units from the provisions of Act 54.

Act 54 of 2011 sought to address an environment where it was believed there was little incentive for Unions to truly bargain and it is frustrating that a revision to that Act, solely for Act 312 units is now being proposed through House Bill 5097.

Respectfully submitted,

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City of Wyoming